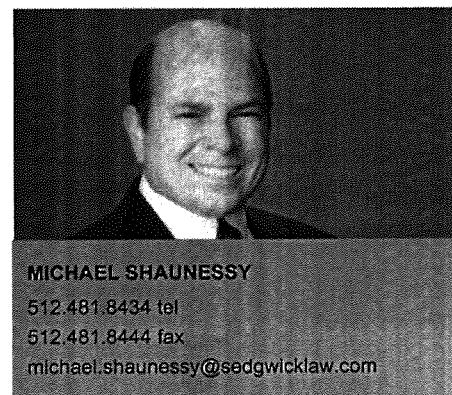


# **Exhibit A**

**Michael Shaunessy**

Partner, Austin, Texas

Commercial Practices  
Employment & Labor

**Current Scope of Practice**

Mr. Shaunessy's practice focuses on trial work involving commercial litigation, employment litigation, and suing and defending governmental entities. In the areas of commercial litigation, Mr. Shaunessy has brought suit and defended claims involving breach of contract, tortious interference with business relations, fraud and business disparagement. His trial work has also resulted in successful outcomes in cases involving securities fraud and professional liability. For more than 15 years, he has successfully defended employers from claims of sexual harassment, sex discrimination, race discrimination, as well as violation of the Americans with Disabilities Act, Age Discrimination in Employment Act and the Whistleblower Act. He has successfully defended claims brought against governmental group risk pools, counties, a state university, cities and school districts. He has successfully brought claims against state agencies, including invalidation of contracts and other awards, and has recovered large judgments for entities doing business with the state of Texas.

**Litigation Matters**

Published decisions:

- *Austin Forex Receivership*, represented court appointed receiver of foreign currency trading company in which over 600 investors lost more than \$30 million dollars. He served as lead counsel in various suits that resulted in total recoveries of over \$33 million dollars.
- *Stearns Receiver v. Locke Liddell & Sapp*, represented receiver and obtained \$8.5 million settlement from a national law firm for benefit of defrauded investors.
- *AT&T Communications of the Southwest, Inc. v. City of Dallas*, Tex., 52 F.Supp.2d 756 (N.D. Tex. 1998) successfully challenged legality of city of Dallas franchise ordinance applicability to telecommunications carrier.
- *SBC Communications, Inc. v. F.C.C.*, 154.F.3d 226 (5th cir. 1998), successful representation of the National Newspaper Association in defending the constitutionality of electronic publishing provisions of the 1996 Federal Telecommunications Act.
- *Goldstein v. Mortenson*, 113 S.W.3d 769 (Tex.App.—Austin 2003), obtained and defended on appeal multi-million dollar judgment based on common law fraud and usury.

**Sedgwick**<sub>LLP</sub>

- *Asset Restructuring Fund, L.P., v. Liberty National Bank and Resolution Trust Corp.*, 886 S.W.2d 548 (Tex. App.—Austin 1994), successful representation of participating bank securing judgment that loan participation agreement transferred ownership interest in loan and collateral to participating banks and participant held an undivided ownership interests in foreclosed collateral.
- *Brammer v. KB Home Lone Star, L.P.*, 114 S.W.3d 101 (Tex. App.—Austin 2003), obtained temporary injunction and successfully defended on appeal portions of injunction limiting protests at homebuilders' subdivisions.

#### **Affiliations, Activities and Accomplishments**

Mr. Shaunessy is admitted in Texas (1987) and before the U.S. District Court for the Northern, Southern, Eastern, Western Districts of Texas, the U.S. Supreme Court and the Fifth U.S. Circuit Court of Appeals. He is Board Certified by the Texas Board of Legal Specialization in Personal Injury Trial Law. He is a member of the American Board of Trial Advocates.

Mr. Shaunessy has testified before the Texas Legislature on behalf of the Texas Association of Counties and its members on legislation involving the waiver of sovereign immunity.

Mr. Shaunessy is active in the community. He currently serves on the board of directors (2003 to present), executive committee and as board secretary (2005-2006), and as fund development chair (2006) for the Center for Child Protection (formerly Children's Advocacy Center). In the past, he has served on the board of directors for the Women's Advocacy Project (1994-1998). For six years he has coached youth sports and now serves on the St. John Neumann Capital Campaign Committee.

He was selected as a Super Lawyer by *Texas Monthly* magazine from 2000 through 2005. He was one of three finalists for the Texas Bar Foundation's 2007 Dan Price award that is given to a lawyer who exhibits an unreserved commitment to clients and to the practice of the legal profession, and demonstrates dedication to the State Bar of Texas and service to the public.

#### **Publications**

Mr. Shaunessy frequently authors and lectures on securities law, Texas summary judgment practice and sovereign immunity topics. His papers and presentations include:

- "Sovereign Immunity," *Baylor Law Review*, Vol. 53, Summer 2001
- "Invoking Sovereign Immunity to Protect Public University Athletic Departments and Administrators," *Tex. Rev. of Entertainment and Sports Law*, Vol. 4, Spring 2003
- "Sovereign Immunity," Suing and Defending Governmental Entities Seminar, State Bar of Texas
- "Liability Under the Tort Claims Act," Suing and Defending Governmental Entities Seminar, State Bar of Texas
- "Summary Judgment Practice," Suing and Defending Governmental Entities Seminar, State Bar of Texas

**Education**

Mr. Shaunessy received his Bachelors of Business Administration, from The University of Texas. He earned his J.D., 1987, from Southern Methodist University Dedman School of Law. He was selected to the *Southwestern Law Journal*, the ABA mock trial team, and the State Bar Mock Trial team. He won the SMU mock trial competition in his second and third year. He was a briefing attorney for the Hon. Robert Campbell, Justice Texas Supreme Court.